



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
OFFICE OF THE CLERK
500 PEARL STREET
NEW YORK, NEW YORK 10007

RUBY J. KRAJICK
CLERK OF COURT

January 28, 2022

BY ECF AND OVERNIGHT MAIL

Elliot Friedman
Freshfields Bruckhaus Deringer Us LLP
601 Lexington Avenue
New York, NY 10022

Cecilia Froelich Moss
Chaffetz Lindsey LLP
1700 Broadway, 33rd Floor
New York, NY 10019

Re: 18 Civ 2392 (PKC) – Statoil (Nigeria) Ltd and Texaco Nigeria Outer Shelf Ltd v Nigerian National Petroleum Corp

Dear Counsel,

I have been contacted by Judge Richard M. Berman, U.S.D.J., who presided over the above-named case before it was reassigned to Judge P. Kevin Castel, U.S.D.J., on February 28, 2022.

Judge Berman informed me that it came to his attention yesterday that while he presided over the above-referenced case he owned stock in Chevron Corp., the parent company of Texaco Nigeria Outer Shelf Ltd. He thereupon (January 27, 2022) sold the stock and recused himself from further participating in the case. His ownership of stock neither affected nor impacted his decisions in this case. However, his stock ownership may have required recusal under the Code of Conduct for United States Judges, and thus, Judge Berman requested reassignment and directed that I notify the parties of the potential conflict.

Advisory Opinion 71, from the Judicial Conference Codes of Conduct Committee, provides the following guidance regarding disqualification:

Notice to Counsel of Record

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[A] judge should disclose to the parties the facts bearing on disqualification as soon as those facts are learned, even though that may occur after entry of the decision. The parties may then determine what relief they may seek, and a court (without the disqualified judge) will decide the legal consequence, if any, arising from the participation of the disqualified judge in the entered decision.

If you wish to respond to the disclosure of a potential conflict in this matter, please file your response in the above-named case. Any response will be considered without the participation of Judge Berman.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruby J. Krajick", with a stylized flourish at the end.

Ruby J. Krajick
Clerk of Court

cc: Hon. Richard M. Berman, U.S.D. J.
Hon. P. Kevin Castel, U.S.D.J.